

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 12-87-RGA
	:	
DEVONTRE TAYLOR,	:	
	:	
Defendant.	:	

**DEFENDANT’S UNOPPOSED MOTION FOR CONTINUANCE
OF VIOLATION OF SUPERVISED RELEASE HEARING**

The Defendant, Devontre Taylor, through undersigned counsel, Eleni Kousoulis, Assistant Federal Public Defender for the District of Delaware, hereby moves this Honorable Court for an Order continuing the Violation of Supervised Release Hearing in this case.

In support of this motion, Defendant submits as follows:

1. A Violation of Supervised Release Hearing in this matter is currently scheduled for July 30, 2018 at 10:00 a.m.
2. Mr. Taylor is presently awaiting sentencing in state court in Delaware on a drug case that is the subject of one of his violations of his federal supervision. Mr. Taylor is presently out of custody. Mr. Taylor’s sentencing in his state court matter was originally scheduled for June 29, 2018. However, on June 17, 2018, Mr. Taylor was involved in a serious motor vehicle accident where he sustained injuries to his cervical, thoracic and lumbar spine, and experienced headaches and constant neck and back pain as a result. In light of the fact that Mr. Taylor was receiving ongoing treatment for these injuries, the sentencing in his state case was continued to August 24, 2018. Defense counsel has spoken to Mr. Taylor’s counsel in his state case and was informed that

it is expected that Mr. Taylor will receive a period of incarceration on his state case and that he will be taken into state custody immediately following his state sentencing.

3. Defense counsel would like to have Mr. Taylor sentenced in his state case prior to moving forward with his federal violation of supervised release hearing in the present case. Since the state drug case for which Mr. Taylor is awaiting sentencing forms the basis for one of his violations of his federal supervised release, Defense counsel would like the benefit of knowing what sentence Mr. Taylor receives in his state case prior to moving forward on his federal violation of supervised release. It is also expected that Mr. Taylor will be sentenced to some period of incarceration on his federal violation of supervised release. If Mr. Taylor moves forward on his federal case prior to his state case, and is taken into federal custody following his violation of supervised hearing, it is unlikely the state of Delaware will writ him into state court to be sentenced on his state court matter. As a result, Mr. Taylor will have to complete whatever sentence this Court sentences him to on his violation, before being sent back to the state of Delaware to be sentenced in his state case. If Mr. Taylor is sent to federal prison with an open state case, that open state case will act as a detainer, and will effect Mr. Taylor's classification with the Federal Bureau of Prison (B.O.P) system, his ability to take advantage of certain programs within the B.O.P., and effect his ability to be released to a halfway house for re-integration back into society once he completes his federal sentence.

4. In light of the forgoing, Defense counsel respectfully requests that the Violation of Supervised Release Hearing be continued until after Mr. Taylor's August 24, 2108 sentencing in his state case.

5. Counsel for the government, Assistant United States Attorney Jennifer K. Welsh, and U.S. Probation Officer Butch Williams have no objection to the instant motion.

WHEREFORE, for these reasons and any other such reasons that shall appear to the Court, the defense respectfully requests that the Violation of Supervised Release Hearing in this matter be continued until after August 24, 2018.¹

Respectfully submitted,

EDSON A. BOSTIC
Federal Public Defender

Dated: July 20, 2018

By: /s/ Eleni Kousoulis
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¹Defense counsel will be out of the office September 10 through September 12, 2018, and is scheduled to start a three day jury trial in another matter on September 13, 2018. It is respectfully requested, if the Court's calendar permits, that Mr. Taylor's Violation of Supervised Release Hearing be re-scheduled for a date between August 28 and September 7, 2018. It is Defense's counsel's understanding that should Mr. Taylor be taken into state custody at the time of his state sentencing, that the Government will be able to writ Mr. Taylor into federal court for his violation of supervised hearing in the instant matter.